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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR 08-0246 CW
14 Plaintiff,) PETITION FOR AND WRITS OF
15 v.) HABEAS CORPUS AD
16 KAO SAETURN,) PROSEQUENDUM
17 SAN KWEN SAEPHAN,)
aka "Forty,")
18 JOSEPH VU NGUYEN,)
DAVIS KIET DANG,)
aka Kiet Dang,)
19 aka Kiet Davis Anh Dang,)
aka Kiet Davisanh Dang, and)
20 JANTAR PHUN,)
aka "Kelley,")
21)
22 Defendants.)

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24 TO: The Honorable Maria-Elena James, United States Magistrate Judge of the United
25 States District Court for the Northern District of California:

26 Assistant United States Attorney James C. Mann respectfully requests that this Court

27 issue Writs of Habeas Corpus Ad Prosequendum for the persons of prisoners (1) JOSEPH VU
28 NGUYEN (PFN No. BFB752), (2) SAN KWEN SAEPHAN (a/k/a "Forty") (CDC No. G11525;

PETITION AND [PROPOSED] ORDER FOR AND WRITS OF HABEAS CORPUS AD PROSEQUENDUM
No. CR 08-0246 CW

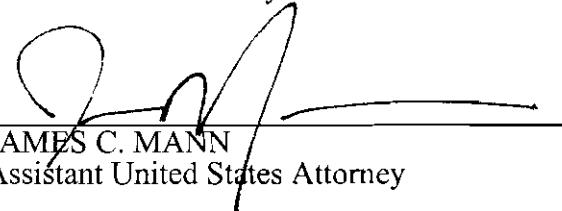
1 PFN No. BCZ538), and (3) KAO SAETURN (CDC No. V27922; PFN No. KHC008) whose
2 places of custody and jailors are set forth in the requested Writs, attached hereto. The prisoners
3 are required as the defendants in the above-entitled matter in this Court, and therefore petitioner
4 prays that this Court issue the Writs as presented.

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6 Dated: July 23, 2008

Respectfully submitted,

7 JOSEPH P. RUSSONIELLO
United States Attorney

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10 JAMES C. MANN
11 Assistant United States Attorney

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11 UNITED STATES OF AMERICA,) No. CR 08-0246 CW
12 Plaintiff,)
13 v.) [PROPOSED] ORDER GRANTING
14 KAO SAETURN,) PETITION FOR AND WRITS OF
SAN KWEN SAEPHAN,) HABEAS CORPUS AD
aka "Forty,") PROSEQUENDUM
15 JOSEPH VU NGUYEN,)
16 DAVIS KIET DANG,)
aka Kiet Dang,)
17 aka Kiet Davis Anh Dang,)
aka Kiet Davisanh Dang, and)
18 JANTAR PHUN,)
aka "Kelley,")
19)
20 Defendants.)
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22 Upon motion of the United States of America, and good cause appearing therefore,
23 IT IS HEREBY ORDERED that the United States' request for issuance of Writs of
24 Habeas Corpus Ad Prosequendum requiring the production of (1) JOSEPH VU NGUYEN (PFN
25 No. BFB752), (2) SAN KWEN SAEPHAN (a/k/a "Forty") (CDC No. G11525; PFN No.
26 BCZ538), and (3) KAO SAETURN (CDC No. V27922; PFN No. KHC008) before the Hon.

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PETITION AND [PROPOSED] ORDER FOR AND WRITS OF HABEAS CORPUS AD PROSEQUENDUM
No. CR 08-0246 CW

1 Wayne D. Brazil, United States Magistrate Judge, at 10:00 a.m. on Thursday, August 14, 2008 or
2 as soon thereafter as may be practicable, is granted, and the Writs shall be issued as presented.

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4 DATED: _____

5 HON. MARIA-ELENA JAMES
United States Magistrate Judge

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1 THE PRESIDENT OF THE UNITED STATES OF AMERICA

2 TO: FEDERICO ROCHA, United States Marshal, Northern District of California, and/or any
3 of his authorized deputies, and the Sheriff for Alameda County, and/or any of his
authorized deputies:

4 GREETINGS

5 WE COMMAND that on Thursday, August 14, 2008 at 10:00 a.m., or as soon thereafter as
6 practicable, you have and produce the body of JOSEPH VU NGUYEN (PFN No. BFB752), in
7 your custody in the Santa Rita Jail, or any other institution in the Sheriff's custody, before the
8 United States District Court in and for the Northern District of California, in the Courtroom of
9 the Hon. Wayne D. Brazil, United States Magistrate, 1301 Clay Street, Oakland, California
10 94612 on the third floor, in order that JOSEPH VU NGUYEN may then appear for his initial
11 appearance upon the charges heretofore filed against him in the above-entitled Court, and that
12 immediately after said hearing to return him forthwith to said above-mentioned institution or
13 abide by such order of the above-entitled Court as shall thereafter be made concerning the
14 custody of said prisoner, and further to produce said prisoner at all times necessary until the
15 termination of the proceedings in this Court;

16 IT IS FURTHER ORDERED that should the local or state custodian release from its custody
17 the above-named person, he be immediately delivered and remanded to the United States
18 Marshal and/or his authorized deputies under this Writ.

19 WITNESS the Hon. Maria-Elena James, United States Magistrate Judge, United States
20 District Court for the Northern District of California.

21 DATED: _____, 2008

22 CLERK, UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA

24 By:

25

26 DEPUTY CLERK

1 THE PRESIDENT OF THE UNITED STATES OF AMERICA

2 TO: FEDERICO ROCHA, United States Marshal, Northern District of California, and/or any
3 of his authorized deputies, and the Warden for the California State Prison - Sacramento,
and/or any California Department of Corrections facility:

4 GREETINGS

5 WE COMMAND that on Thursday, August 14, 2008 at 10:00 a.m., or as soon thereafter as
6 practicable, you have and produce the body of SAN KWEN SAEPHAN (a/k/a "Forty") (CDC
7 No. G11525; PFN No. BCZ538), in your custody in the above-mentioned institution, or any other
8 California Department of Corrections Institution, before the United States District Court in and
9 for the Northern District of California, in the Courtroom of the Hon. Wayne D. Brazil, United
10 States Magistrate, 1301 Clay Street, Oakland, California 94612 on the third floor, in order that
11 SAN KWEN SAEPHAN may then appear for his initial appearance upon the charges heretofore
12 filed against him in the above-entitled Court, and that immediately after said hearing to return
13 him forthwith to said above-mentioned institution or abide by such order of the above-entitled
14 Court as shall thereafter be made concerning the custody of said prisoner, and further to produce
15 said prisoner at all times necessary until the termination of the proceedings in this Court;

16 IT IS FURTHER ORDERED that should the local or state custodian release from its custody
17 the above-named person, he be immediately delivered and remanded to the United States
18 Marshal and/or his authorized deputies under this Writ.

19 WITNESS the Hon. Maria-Elena James, United States Magistrate Judge, United States
20 District Court for the Northern District of California.

21 DATED: _____, 2008

22 CLERK, UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA

24 By: _____
25 DEPUTY CLERK

1 THE PRESIDENT OF THE UNITED STATES OF AMERICA

2 TO: FEDERICO ROCHA, United States Marshal, Northern District of California, and/or any
3 of his authorized deputies, and the Warden for the California State Prison - Solano,
and/or any California Department of Corrections facility:

4 GREETINGS

5 WE COMMAND that on Thursday, August 14, 2008 at 10:00 a.m., or as soon thereafter as
6 practicable, you have and produce the body of KAO SAETURN (CDC No. V27922; PFN No.
7 KHC008), in your custody in the above-mentioned institution, or any other California
8 Department of Corrections Institution, before the United States District Court in and for the
9 Northern District of California, in the Courtroom of the Hon. Wayne D. Brazil, United States
10 Magistrate, 1301 Clay Street, Oakland, California 94612 on the third floor, in order that KAO
11 SAETURN may then appear for his initial appearance upon the charges heretofore filed against
12 him in the above-entitled Court, and that immediately after said hearing to return him forthwith
13 to said above-mentioned institution or abide by such order of the above-entitled Court as shall
14 thereafter be made concerning the custody of said prisoner, and further to produce said prisoner
15 at all times necessary until the termination of the proceedings in this Court;

16 IT IS FURTHER ORDERED that should the local or state custodian release from its custody
17 the above-named person, he be immediately delivered and remanded to the United States
18 Marshal and/or his authorized deputies under this Writ.

19 WITNESS the Hon. Maria-Elena James, United States Magistrate Judge, United States
20 District Court for the Northern District of California.

21 DATED: _____, 2008

22 CLERK, UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA

24 By:

25 _____
26 DEPUTY CLERK